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ATTORNEY DOCKET NO. 10020937-1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Thomas W. Stone

Serial No.: 10/720,816

Examiner: Dinh D. Chiem

Filing Date: November 24, 2003

Group Art Unit: 2883

Title: VARIABLE OPTICAL ATTENUATOR SYSTEMS

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, June 16, 2006, rejecting the following claims 1-10.

The fee for this Notice of Appeal (37 CFR 1.17(b)) is \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☒ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

<input checked="" type="checkbox"/>	one month	\$ 120.00
<input type="checkbox"/>	two months	\$ 450.00
<input type="checkbox"/>	three months	\$1020.00
<input type="checkbox"/>	four months	\$1590.00

☐ The extension fee has already been filled in this application.

☐ (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 50-3718 the sum of \$620.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-3718 pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

☒ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: October 16, 2006 OR

☐ I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile:

Typed Name:

Signature:

Respectfully submitted,

Thomas W. Stone

By

Jacob N. Erlich

Attorney/Agent for Applicant(s)

Reg. No. 24,338

Date: October 16, 2006

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